

**S.R. 46** - By Edwards: Extending congratulations to Mr. and Mrs. Charlie Taylor of Waxahachie on their 50th wedding anniversary.

**S.R. 47** - By Armbrister: Extending congratulations to Mrs. Ida Nollkamper of Shiner on her 100th birthday.

**S.R. 48** - By Edwards: Extending congratulations to Mr. and Mrs. Eusebio Pecina on their 50th wedding anniversary.

**S.R. 49** - By Edwards: Extending congratulations to Mark Conaway on his superb showing in Austin.

**S.R. 50** - By Sims: Commending the Trans-Pecos Development Commission for its support of a 2,250 bed maximum or 1,000 bed minimum to medium security facility.

**S.R. 51** - By Krier: Extending congratulations to VIA Metropolitan Transit of San Antonio for earning the prestigious 1988 Safety Achievement Award.

**S.R. 54** - By Glasgow: Extending congratulations to Lucile Mayfield for her excellent coverage of the news of Clairette and the surrounding area and commending her for her invaluable contributions to the citizens of her town.

#### ADJOURNMENT

On motion of Senator Brooks, the Senate at 11:18 a.m. adjourned until 11:00 a.m. tomorrow.

Signed by Governor  
(June 26, 1989)

**H.C.R. 4**

#### SIXTH DAY (Wednesday, June 28, 1989)

The Senate met at 11:00 a.m. pursuant to adjournment and was called to order by the President.

The roll was called and the following Senators were present: Armbrister, Barrientos, Bivins, Brooks, Brown, Caperton, Carriker, Dickson, Edwards, Glasgow, Green, Haley, Harris, Henderson, Johnson, Krier, Leedom, Lyon, McFarland, Montford, Parker, Parmer, Ratliff, Santiesteban, Sims, Tejeda, Truan, Uribe, Washington, Zaffirini.

Absent-excused: Whitmire.

A quorum was announced present.

Senate Doorkeeper Jim Morris offered the invocation as follows:

Eternal Father, throughout this day we pray that You will be our unseen companion and that, because of Your grace, we are all called to a greater level of service and a stronger belief in ourselves. May each one here know the importance

of the individual and that one can and does make a difference. Let this be a day of progress on the pending agenda, marked by renewed resolve to finish the assignment.

In Jesus' name, we pray. Amen.

On motion of Senator Brooks and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

#### LEAVE OF ABSENCE

Senator Whitmire was granted leave of absence for today on account of important business on motion of Senator Brooks.

#### GUEST PRESENTED

Senator Harris was recognized and presented Dr. Bill Ross of Carrollton, Chairman, Family Practice Department, Southwest Medical Center.

Dr. Ross, participating in the "Capitol Physician" program sponsored by the Texas Academy of Family Physicians, was welcomed by the Senate and received an expression of gratitude for his service today.

#### GUEST PRESENTED

The President introduced his and Senator Krier's guest, Judge Frank G. Evans of Houston.

Judge Evans, Chief Justice, First District Court of Appeals, addressed the Senate, expressing the appreciation of the judiciary to the Senate for its support.

#### SENATE RESOLUTION 74

Senator Caperton offered the following resolution:

WHEREAS, Our distinguished colleague, Senator John T. Montford, celebrates his 46th birthday today, Wednesday, June 28, 1989; and

WHEREAS, A native of Fort Worth, this able statesman has represented his constituents in District 28 in West Texas with surpassing skill and competence since his election to the Senate in 1982; and

WHEREAS, After graduating from high school in Hurst, John Montford enrolled at The University of Texas, where he received his B.A. degree in 1965 and his law degree in 1968; and

WHEREAS, He served his nation in the U.S. Marine Corps as a company commander and judge advocate and entered private practice in Lubbock following his discharge; and

WHEREAS, Fellow citizens elected him Lubbock County Criminal District Attorney, and he had served in that capacity for four years before his successful bid for the Senate; and

WHEREAS, As district attorney, his prosecutorial zeal earned him the designation, "John T. 99," for his unblemished record of attaining 99-year convictions; and

WHEREAS, Duplicitous (a recently adopted—and misused—adjective by Senator Montford) speculation regarding what the "T." abbreviates has followed the senator for years; the kindest among the many guesses has it "Tinker Bell"; and

WHEREAS, Well into the Indian Summer of his life, Senator Montford retains interests that belie his years: though renowned in Lubbock as a former Western film actor, he recently suffered a painful injury while attempting to mount a horse; shortly after trading his zero-to-60-in-four-flat Corvette for a sedate (to him) Camaro, he was issued a speeding ticket; and the plaudits he has received as a

champion of water conservation are tempered among those who know of his addiction to, if not ability in, water skiing; and

WHEREAS, His detractors notwithstanding, the grand occasion of this distinguished Texan's birthday is truly worthy of legislative recognition; now, therefore, be it

RESOLVED, That the Senate of the State of Texas, 71st Legislature, 1st Called Session, hereby extend sincere birthday greetings with many happy returns to Senator John T. Montford; and, be it further

RESOLVED, That a copy of this Resolution be prepared for him as an expression of high esteem and regard from the Texas Senate.

The resolution was read.

On motion of Senator Brooks and by unanimous consent, the names of the Lieutenant Governor and Senators were added to the resolution as signers thereof.

On motion of Senator Caperton, the resolution was adopted viva voce vote.

#### REPORTS OF STANDING COMMITTEES

Senator Parker submitted the following report for the Committee on Education:

##### H.B. 42

Senator Brooks submitted the following report for the Committee on Health and Human Services:

##### S.B. 45

Senator Harris submitted the following report for the Committee on Economic Development:

##### S.B. 36 (Amended)

##### C.S.S.B. 24

Senator Montford submitted the following report for the Committee on State Affairs:

##### S.B. 53

##### S.B. 4

##### S.B. 8

##### S.B. 39

##### S.C.R. 2

##### S.B. 13

##### S.B. 19

##### C.S.S.B. 3

##### C.S.S.B. 14

##### C.S.S.B. 52

#### SENATE BILLS ON FIRST READING

The following bills were introduced, read first time and referred to the Committee indicated:

**S.B. 54** by Barrientos State Affairs  
Relating to permitting the Department of Public Safety to charge fees for permits for sales and purchases of precursor chemicals and chemical laboratory apparatus.

**S.B. 55** by Brooks Health and Human Services  
Relating to training programs for recertification of persons employed in the food service industry.

**S.B. 56** by Edwards Jurisprudence  
Relating to solicitations made in the name of law enforcement personnel; providing penalties.

**S.B. 57** by Green Health and Human Services  
Relating to the commitment procedures and services for mentally ill and chemically dependent persons; providing penalties.

**S.B. 58** by Armbrister Intergovernmental Relations  
Relating to treatment of permits issued under certain federally authorized state programs.

#### **HOUSE BILL 42 ON SECOND READING**

Senator Harris moved to suspend all necessary rules to take up for consideration at this time:

**H.B. 42**, Relating to admissions to and programs at The University of Texas at Dallas.

The motion prevailed by the following vote: Yeas 24, Nays 4.

Yeas: Armbrister, Barrientos, Bivins, Brooks, Brown, Caperton, Dickson, Edwards, Green, Harris, Henderson, Johnson, Krier, Leedom, Lyon, McFarland, Montford, Parker, Parmer, Ratliff, Santiesteban, Sims, Tejeda, Zaffirini.

Nays: Carriker, Haley, Truan, Uribe.

Absent: Glasgow, Washington.

Absent-excused: Whitmire.

The bill was read second time and was passed to third reading viva voce vote.

#### **RECORD OF VOTES**

Senators Truan and Uribe asked to be recorded as voting "Nay" on the passage of the bill to third reading.

#### **HOUSE BILL 42 ON THIRD READING**

Senator Harris moved that the Constitutional Rule and Senate Rule 7.19 requiring bills to be read on three several days be suspended and that **H.B. 42** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 25, Nays 4.

Yeas: Armbrister, Barrientos, Bivins, Brooks, Brown, Caperton, Dickson, Edwards, Glasgow, Green, Haley, Harris, Henderson, Johnson, Krier, Leedom, Lyon, Montford, Parker, Parmer, Ratliff, Santiesteban, Sims, Tejeda, Zaffirini.

Nays: Carriker, Truan, Uribe, Washington.

Absent: McFarland.

Absent-excused: Whitmire.

The bill was read third time and was passed viva voce vote.

#### **RECORD OF VOTES**

Senators Truan, Uribe, McFarland and Carriker asked to be recorded as voting "Nay" on the final passage of the bill.

**COMMITTEE SUBSTITUTE  
SENATE BILL 20 ON SECOND READING**

On motion of Senator Brooks and by unanimous consent, the regular order of business was suspended to take up for consideration at this time on its second reading and passage to engrossment:

**C.S.S.B. 20**, Relating to the regulation of physicians; providing a penalty.

The bill was read second time and was passed to engrossment viva voce vote.

**COMMITTEE SUBSTITUTE  
SENATE BILL 20 ON THIRD READING**

Senator Brooks moved that the Constitutional Rule and Senate Rule 7.19 requiring bills to be read on three several days be suspended and that **C.S.S.B. 20** be placed on its third reading and final passage.

The motion prevailed by the following vote: Yeas 29, Nays 1.

Nays: Washington.

Absent-excused: Whitmire.

The bill was read third time and was passed viva voce vote.

**SENATE RULE 11.11 SUSPENDED**

On motion of Senator Parmer and by unanimous consent, Senate Rule 11.11 was suspended in order that the Committee on Intergovernmental Relations might consider the following bills upon adjournment today:

**S.B. 11  
S.B. 37  
S.B. 44  
S.B. 21**

**SENATE RULE 11.11 SUSPENDED**

On motion of Senator Santiesteban and by unanimous consent, Senate Rule 11.11 was suspended in order that the Committee on Natural Resources might consider the following resolution and bills upon adjournment today:

**S.C.R. 8  
S.B. 18  
S.B. 23  
S.B. 28  
S.B. 50  
S.B. 51**

**MEMORIAL RESOLUTIONS**

**S.R. 59** - By Glasgow, Parmer: In memory of Aubrey Ray Cartwright, Jr., of Fort Worth.

**S.R. 60** - By Glasgow, Parmer: In memory of Dr. Hugo J. Ranelle.

**S.R. 71** - By Brown: In memory of Captain Mark Hicks of Brazosport.

**S.R. 76** - By Truan: In memory of Alden Lee "Buck" Kelly of Corpus Christi.

**CONGRATULATORY RESOLUTIONS**

**H.C.R. 5** - (Green): Extending congratulations to Coach Wayne Graham and the members of the San Jacinto College North baseball team.

**H.C.R. 11** - (Ratliff): Declaring Longview to be the Loblolly Capital of Texas.

**H.C.R. 25** - (Ratliff): Extending congratulations to the Paris High School Wildcats on winning the UIL Class 4A State baseball championship.

**S.R. 61** - By Glasgow: Commending Rembert Louis Baker of Chireno for his devoted service to his country.

**S.R. 62** - By Edwards: Commending Martin Alan Kramen, M.D., for his involvement in the excellent preceptorship program of the Texas Academy of Family Physicians.

**S.R. 63** - By Edwards: Commending B. Shane Tindall for his dedicated efforts toward being a winner and for motivating his friends to become winners as well.

**S.R. 64** - By Edwards: Extending congratulations to Milford High School acting class and their superb teacher, Judy Fenton, for their outstanding performances at the University Interscholastic League state competition.

**S.R. 65** - By Edwards: Commending Joseph Calderon for winning the University Interscholastic League State Best Actor Award over all schools competing.

**S.R. 66** - By Edwards: Extending congratulations to Cindy Brown on winning first place in the State Academic University Interscholastic League spelling competition.

**S.R. 67** - By Edwards: Extending congratulations to the Corsicana High School girls track team which recently won the State 4A title at the University Interscholastic League track meet.

**S.R. 68** - By Edwards: Extending congratulations to China Spring High School on its 1989 State Class 2A baseball championship.

**S.R. 69** - By Edwards: Extending congratulations to Justin McLemore on his impressive showing at the University Interscholastic League track meet in Austin.

**S.R. 70** - By Henderson: Extending congratulations to Marcus David Chance of Spring on achieving the rank of Eagle Scout.

**S.R. 72** - By Barrientos: Expressing sincere appreciation to the delegation from Hong Kong and the People's Republic of China.

**S.R. 73** - By Caperton: Extending congratulations to Lon Hefley of Hungerford on his 100th birthday.

**S.R. 75** - By Truan: Extending best wishes to Mayor H. O. Grebe, Jr., and A. J. Veselka for a most successful "USS Lexington Day" celebration.

**S.R. 77** - By Caperton: Extending congratulations to Mr. and Mrs. David Woodcock of College Station on their 25th wedding anniversary.

**ADJOURNMENT**

On motion of Senator Brooks and pursuant to a previously adopted resolution, the Senate at 12:03 p.m. adjourned, in memory of Captain Mark Hicks of Brazosport, until 2:00 p.m. Wednesday, July 5, 1989.

Signed by Governor  
(June 29, 1989)

**H.C.R. 5**